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Against the Immediate Restoration of the Seceded States,  
in answer to Mr. Doolittle and others.

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SPEECH  
OF  
HON. B. F. WADE,  
OF OHIO,

In the Senate of the United States, January 18th, 1866.

Mr. WADE. Mr. President, I had not intended to say anything at this time upon this great subject of reconstruction, because it appeared to me better that we should await the action of the committee that we have appointed and charged with the duty of enlightening us upon the subject; but I have heard so much that seems to be entirely aside of the difficulties that occur to my mind on this subject that I think I ought not to fail at this time to express some opinions that I entertain; and especially as the Senator from Wisconsin, [Mr. DOOLITTLE,] in the long, labored, and able speech that he made yesterday almost entirely failed to touch any of the difficulties that are laboring in my mind.

The Senator began by invoking the principles and aid of the preceding Administration, and informed us that the present Administration was proceeding upon the same principles that Mr. Lincoln had adopted. It is true that Mr. Lincoln had entered upon a certain policy in regard to the admission of some of these States; the question was agitated before us, I believe, during the whole period of the last Congress; but, notwithstanding my anxiety to find some way by which these States could be safely admitted into the Union again, all the arguments that were made for that purpose during that whole Congress entirely failed to convince me that the time had arrived when it was safe to admit any of them; and therefore, for one, I contended against it, and with a good deal of zeal; and for that I, with some others here, was accused of being a little factious, and sometimes it was said we filibustered against the will of the majority to keep these States out.

Now, sir, I wish to say that in my judgment President Johnson has made a great improvement upon the state of things that existed during the last Congress, although, as yet, he has not reached the point where I think the difficulty begins. Mr. Lincoln advised us to admit Louisiana into the Union at a time when, probably, more than one half her territory was trampled beneath the hostile feet of the enemy. Our flag did not cover her territory, and perhaps not half her population, when he thought it would be safe to permit her to come back into the councils of the nation and participate with us Union men in the great work of legislation. I had not seen anything in the proceedings of the people there that warranted me in saying that that would be safe, and therefore I thought it best to make what stand I could against that measure. You will recollect, sir, that Mr. Lincoln did not then require, if I recollect aright, in order to the admission, anything more than that one tenth part of the population of Louisiana should take a certain oath, and that not a very difficult one, and when they had done that the State was to be in condition to be admitted. Mr. Johnson, I repeat, has made an improvement, and a great improvement, upon all this, for he does require, if I understand him, that they, by their fundamental law, shall abolish slavery; he requires at their hands that they shall repudiate the rebel debt: he requires that they shall renounce the right of secession; he requires that they shall agree to the constitutional amendment abolishing slavery forever. These, in my judgment, are great improvements upon the system adopted by Mr. Lincoln. Had Mr. Lincoln himself, at that period, required these things, and had the States assented to them, I believe I should then have yielded to his wishes and given my support to the measure.

But, Mr. President, in the counsels that I have given and the measures that I have advocated in the Senate, I have ever had one polar star to guide my action, and to that I adhere whether I am in the majority or the minority, and I never intend to be tempted from it one single inch. I fix my eye upon the great principle of eternal justice, and it has borne me triumphantly through all difficulties in my legislative career since I have had a seat here. I say triumphantly—for, sir, I have stood upon this floor when I had not ten men to support me against the entire Senate, and when the principles I advocated were infinitely more unpopular here than those I announce to-day. How were the whole Senate startled at the idea of universal emancipation fifteen years ago—ten years ago; yes, sir, five years ago! Talk not to me about unpopular doctrines, and endeavor not to intimidate me by the intimation that I shall be found in a minority among the people! I know them better. I think I know that I tread in the great path of rectitude and right, and I care not who opposes me. God Almighty is my guide; He, going before to strengthen my hand, has never failed me yet, and I do not fear that He will do so on this occasion.

Mr. President, I will not boast, but I, with many others upon this floor, can look back to our precedent course upon this subject, I think, with great satisfaction. I think we may say with St. Paul, "we have fought the good fight." We are not en-

tirely through it, I admit, as he was. We may have a little further to go in the same direction, but our path is much easier than it was then.

Mr. CLARK. We keep the faith.

Mr. WADE. Yes, sir, we keep the faith, and I have no doubt of a final triumph. I never feared it. I never had the least doubt how this whole question would be settled. It will all come right if we are true to our convictions.

Mr. WILSON. We will be.

Mr. WADE. I have no doubt of it. I do not fear my associates on this great question. I wish, sir, and I wish nothing more heartily, that I could agree exactly with the President's view of the subject, and go along with him in the smooth path to a final and speedy adjustment of this whole question; but there are things in that path which prevent my seeing the way clearly. I give the President full credit for all that he has done, and I honor him for the pertinacious manner in which he has insisted on the great guarantees to which I have already alluded. He has commenced, as it were, to build this great arch of freedom aright; he has laid the foundations deep upon the rock of justice and truth; he has demanded that slavery be abolished. I agree with him in this, and I honor him because he has stood firmly by this demand, and he stands firmly by it now. All these requisitions that he has demanded of the South are right, but he has failed to put the keystone in the arch that he has built, and if you leave it as it is it will go to ruin.

When this great question is settled, I want it to be finally and entirely disposed of. I do not wish to be fighting eternally about slavery and distinctions of rights and privileges among the American people. I say to President Johnson, to the Democratic party, to the people of the United States, that I will never yield this controversy until all men in America shall stand precisely upon the same platform, equal before the law in every respect. When that shall have been secured, I shall give up this great controversy in which I have been engaged so many years, and no man will be more rejoiced than myself that I shall be relieved from it.

I listened carefully to the elaborate argument of the Senator from Wisconsin yesterday, for I knew it was the announcement of the doctrines of the Administration most ably set forth, most deliberately prepared, meditated upon long, written and properly printed in advance and submitted for its consideration beforehand; but I do not know how that was.

Mr. DOOLITTLE. Perhaps as the Senator appeals to me upon that point, I may be indulged in stating, as I do most distinctly, that so far as the speech I made yesterday is concerned, I have had no consultation with any member of the Administration in regard to it; neither with the President nor any member of the Cabinet. I expressed my own opinions.

Mr. WADE. I only surmised what I stated; I did not know it to be a fact. I thought it might be so from the surroundings that I saw here; from some parts of the audience that listened to the speech. It seems I was mistaken as to that, but it makes no difference. The Senator is undoubtedly the organ of the Administration upon this subject.

Mr. DOOLITTLE. Allow me to state that I certainly do not stand in any such relation to the Administration any more than any other Senator upon this floor. There are certain points in which perhaps I agree with the opinions of the President more than the Senator from Ohio, but I claim no more right to speak for the President than the Senator himself.

Mr. WADE. I do not know that the Senator does so claim, but I know that it has been generally considered that he was more familiar with the views of the President on this subject than the rest of us. Perhaps this may be a mistake, but it does not make much difference how the fact is. I listened yesterday attentively to his able argument, in which he put forth undoubtedly all the views in favor of the policy he advocated that occurred to him or that he could muster into its service, and his speech was more remarkable for what it did not say than for what it did. I do not remember that in the whole course of his speech he spoke of the fate of those four million human beings whose rights are involved in this controversy—rights which to him are dearer than life; nay, sir, he would sooner sacrifice his own son upon the altar than consent that he should not stand upon an equal footing with his neighbor upon the question of suffrage. If there were no such element involved in this controversy, I, like him, perhaps, should find no very great difficulty in the way, but would allow things to go on smoothly and quietly. It would be a very harmless and unimportant controversy if it was barely to settle the question whether the rebel States in a metaphysical point of view are in the Union or out of it. The Senator cited Mr. Lincoln's last speech, or dying declaration, as he called it, in which Mr. Lincoln himself alluded to that very question, and said that it (which was so emphatic and so large a part of the Senator's argument) had in his judgment little or nothing to do with the subject. I do not pretend to quote Mr. Lincoln's exact words, but he said: "Enough that the seceded States do not maintain such a relation to the Government that they can be admitted without congressional aid," or to that effect. The Senator did not quote that portion of Mr. Lincoln's speech.

But, Mr. President, I care very little what great names say on these subjects. No man honors the memory of Mr. Lincoln more than I do, but I do not invoke his opinions here as controlling. Upon the floor of the Senate of the United States I look all



around for counsel; I am willing to be enlightened from any quarter which can give me light with regard to my duty; and I would as soon look to it from an humble source as from the President or any other man standing in high official position. They are but poor, mortal men at last, and a Senator of the United States has no right to yield his opinions to mortal men. He is sent here for no such purpose. I like to have the aid of the Executive, according to the constitutional idea, to advise as to the measures and principles that he thinks ought to be adopted; and no man will listen to him with a more willing ear than myself; but unless his advice squares with my idea of duty, I discard it as a Senator as I would that of any other man standing in any other position.

Sir, the great question that it now devolves upon us to settle is one from which we cannot shrink; it is for Congress and nobody else to settle. If we settle it and it be wrong, we cannot justify ourselves by saying that we took the advice of the President of the United States, or of Mr. Lincoln, who is now dead. Although his memory is revered by all, his counsels will be no justification to us if we make a mistake upon this great and perilous question that is looming up before us in portentous magnitude. I say, Senators, look to yourselves, take counsel of your own judgment and conscience, of your duty to God and your country, and look less abroad and less to great men, because if there were ever a question before you that was peculiarly your own it is this. Where in the Constitution can be found any authority given to the President to provide for bringing States into this Union? Nowhere; but we, the representatives of the people of the United States in Congress assembled, sent here to do their will under the Constitution of the United States, are the only tribunal to decide as to the admission of a State. We are the only body that ought in a free Government to declare upon what principles a State that is outside of the legislative department shall be admitted to participate in it. I do not care for that purpose whether the community is a Territory of the United States, or a State which has forfeited all right or all ability to act for itself. Such questions are ours; they do not belong to the President of the United States; and if they did this free Government of ours, of which we boast so much, would be the most concentrated despotism upon the face of the earth. While we encroach not a hair upon the province of the Executive, let us stand firmly upon our basis under the Constitution, and do that which is our duty before the people of the United States.

Now, Mr. President, a word upon the subject which the Senator from Wisconsin did not touch. Here are four million people to be ostracised from this Government, to be made serfs forever, notwithstanding the declaration of their freedom, unless some way be contrived by which their rights shall be guaranteed. I was one of those who early advocated the bringing of colored men into the Army and invoking their aid to put down the rebellion. Over and over again I urged it upon the Executive, as a member of the committee on the conduct of the war, and in my private capacity, and in every other way, long before that policy took effect. I feel that according to the powers with which I was invested I did as much as I could to bring the Executive and Congress up to the mark of invoking to the aid of the Union the colored people in the Army and Navy and wherever else they could assist us. What was implied in all that? Did it not force upon me a duty? Would I lend my voice and my vote to seduce or compel that people to jeopardize their lives in defense of their country, and then turn them over to the mercy of their enemies?

Sir, the man who would do it, deliberately and knowingly, is the meanest of all God's creation. Having tempted them into the struggle, having induced them to fight through the war and hazard their lives in your defense, having by this course incensed the whole rebel population against them, will you desert them and leave them in the hands of their vindictive enemies to be destroyed? The Senator from Wisconsin did not allude to them; all his sympathy was with the rebels, the men who endeavored to destroy your Constitution, the men who buried three or four hundred thousand of your bravest sons. My friend from Nevada [Mr. STEWART] sympathizes with them too. The brave colored men, weak and uninfluential in themselves, but who gave you the strongest aid, and without whom I do not know that you could have got through successfully, have no part in these gentlemen's sympathies. Those who slew our brethren, scoundrel traitors to God and man, are the objects of their sympathy. In all their long speeches they cannot think of the four millions whom we brought on our side, and who imperiled their lives to give us most important aid. They sympathize rather with those who, instead of sympathy, deserve a halter.

There is another question which the Senator from Wisconsin did not touch. I do not remember that he said a single word as to the temper and disposition of the people whom he seeks now to bring into the Government. All he had to say was that a promise had been extorted from them that they would abolish slavery, or that they had abolished it in form; but how are you going to guaranty that? What provision have they made to make that secure? I shall never desert them. My honor, my sense of justice, is aroused upon this subject. I have invoked their aid in the Army; I have agreed to protect them in their freedom, and so far as my exertions go they shall be, whatever else may come. He said nothing about all this; he did not tell us precisely what it was that he would do; and now, after having listened to his elaborate speech, I do not know whether he would let these States right in now without any further inquiry on the subject or not. He argued to show that these States had never been outside of the Union, but that the moment the insurrection was put down or suppressed they were in their original place, and apparently had nothing else to do than to come

up here and legislate for us; and for all his speech told us, our old enemies on this floor, whom we banished for treason, may come back here to-day if their people see fit to send them.

Permit me now, sir, to say a word on the question of constitutional law, as to whether the seceded States were out of the Union or in it. I agree with Mr. Lincoln, in thinking that in settling the question before us it is not very material to decide this point; for if, as he said, their relation to the Union is such that they cannot participate in the Government without the action of Congress, it matters little whether you call them outside of the Union or in it; the question will principally turn upon whether their temper and disposition is such that it is safe to trust them in the councils of the nation.

I have but a word to say about that question, because I do not consider it a question of very great importance; but I think the distinction which the mind of any statesman would make is very obvious. If a portion of the inhabitants of a State of this Union have raised their arms against the General Government and the State, for they cannot oppose the one without opposing the other, and the State is all organized and intact, aiding the Union to put down that rebellion, the State is not out of the Union, does not lose her organization, but stands intact, and the moment such an insurrection is put down the State stands as she did before. But when the whole State becomes contaminated, when it is so permeated by treason that all its officers, from the Governor to the lowest officeholder, are displaced and thrown out of their position under the Government, if the people have organized their State on a basis of opposition to the General Government and declared war upon it, so that resistance to the rebellion within the State has entirely ceased, the State, as such, loses its right to be considered as an integral part of the General Government.

It will not do to tell me that there are scattering men in these States who did not agree to all these proceedings, for there never was a war, either civil or public, in which there could not be found some men in both nations who were opposed to the war, and who so expressed themselves. We know that during the war of the Revolution many of the most eminent statesmen of Great Britain sided with us in the British Parliament, and sympathized with us throughout that struggle; but were we less at war with England, or she with us, because some of her statesmen and many of her middle classes were with us, believing that we were right and their own country wrong? Would a publicist, dealing with international law, or even municipal law, pretend that you were any the less a nation at war because here and there a man out of office could be found who did not believe that his Government was right? That is not the way that statesmen treat such subjects.

You must take the people of a State as you find them in fact; and if they are rebels, if the State organization has lost its power as a part of the Union, if its old loyal government is rooted up root and branch, and a new government formed on its ruins hostile to the General Government, I say then it is out of the Union to all intents and purposes. Then all is anarchy, except by virtue of their new State organization, which is a reasonable organization; and whether there be more or less of the people who favor it, is not a question for statesmen to look to. Statesmen look to the organization, look to those in power, see who the Governors are, see who the legislators are, see who makes the laws. When treason has so triumphed over a State that her Governor and legislative councils are all organs of treason, enacting treason into law, and raising armies for the destruction of the old government, to tell me that in such a State that government is not displaced is nonsense. If the State is able to maintain its old organization and put down the insurrection, the individuals are guilty of treason, the State standing intact; but when the State organization has yielded to the storm, has ceased all resistance, we have to look on its people as they are, public enemies, and nothing else.

That, sir, very briefly, is the view I entertain on that subject; but I have said it makes no difference what theoretical view may be taken, for I do not know that anybody supposes that those States are in such a condition that immediately upon the rebellion being quelled they could come right into Congress and demand participation in the councils of the General Government. If they cannot, it then devolves upon Congress to say how they shall come in, to prescribe the rule, and to define upon what conditions they shall be permitted to come back. Therefore, whether you call them outside of the Union or inside makes very little difference; they are helpless; they are conquered; they are incapable of any act of their own. That would bring us to consider what is their temper and disposition now. Is it such that according to the great principles of human action and human experience, it is safe to permit them to come into the councils of the nation on an equal footing with the old members of the Republic that have stood by your old flag throughout? That is the result to which I wish to come. I would not legislate on any vindictive principle any quicker than these gentlemen, and I am willing to consign the past to oblivion if it can be done. You must judge of the characters of men by what they have done heretofore. Did ever a nation on the face of the earth which had been so merciful as to save the life of traitors that sought to destroy it, on the very next day after wrenching the arms out of their hands, invite them into its councils to participate in its deliberations? Would a man who was not utterly insane advocate any such thing? Will you entrust the burglar with your keys? Surely nobody will advocate that. The senator from Wisconsin



himself would not admit that these States may come here at once and thrust their representatives upon us without inquiry on our part.

I hardly supposed that it was necessary to raise a committee to inquire into this subject, all-important as it is. I supposed that every man who had arrived at an age which enabled him to be qualified for a seat in the Senate would have had sufficient human experience to know that a whole nation of traitors of the most vindictive character that were ever heard of on the face of God's earth—men who had resorted to most baleful atrocities against our people—would not, on the next day after their arms had been wrenched out of their hands against their will, be in a temper and disposition to participate in the old Government which they had been for years endeavoring with their lives to overthrow, and were invoking European despotisms to aid and assist them in overthrowing. Is that human experience? Are your penal laws enacted with a view to such a trait in human nature? Do men change so quickly? St. Paul himself, as we are informed, was like these men for a time; he breathed fire and destruction against the Christian church, and on his way to Damascus—it is one of the most notable miracles recorded in the Book—he was changed in the twinkling of an eye.

But, sir, you contend for a miracle infinitely greater than that. You contend that a whole nation has changed in one night from the most vindictive enemies to be the fastest friends, with whom it is safe to trust political power. This is the greatest miracle of modern or ancient times, if men believe it. The conversion of St. Paul was a small incident compared to it. Indeed, it does not require a miracle, according to gentlemen's notions, to convert the vilest traitor into a political saint. I want no committee of investigation for such a matter. I know that if I were to enter into it I could produce abundance of evidence showing that their temper is just what might have been expected. I need not, however, go into it. The Senator from Massachusetts, [Mr. SUMNER,] some three or four weeks ago, in an elaborate speech, furnished evidence sufficient to show that their fell purpose and intent had not been relinquished one jot or tittle yet. That was unnecessary; it was only what all men would know without any evidence. It is human nature, and if a man is not a judge of that so as to solve such a proposition as this is, he does not know enough to be a member of the Senate of the United States. [Laughter.] Talk not to me of conversions of that kind.

Another gentleman will tell you that very few of the southern men were engaged in the rebellion, that most of them were good Union men who were dragged into this infernal scheme to destroy the best Government in the world, that they perjured themselves and descended to the degradation of human crime. If you could establish such a fact, it would be no compliment to the southern people; it would only show that the great mass of that people are infinitely below the Africans of whom we hear so much. Who dragged the people of the southern States into revolt against their will? Their natural leaders, you say. A people that can be so led are not fit recipients of political power. I will not trust men that can be thus led. When you argue against the intelligence of the African and tell me of this incapacity to exercise the elective franchise for that reason, is not your argument a great deal worse against the whites of the South? Were they dragged and forced into the southern armies and their property sacrificed to carry on a rebellion against their will and desire? Then do not contend for white suffrage.

Mr. STEWART. I desire to know how the Senator proposes to extend the right of suffrage to the blacks of the South, whether by legislation or by amendment to the Constitution?

Mr. WADE. I propose to do it upon the same principle that the President assumed to do a great many other things that the Senator thinks and I think were right. I ask how it was that these States were compelled to comply with certain conditions which the Senator says are all-sufficient? Is it not the fact that just before the adjournment of some of the conventions in some of those States telegraphic dispatches were received stating that unless they complied with certain requisitions and adopted the constitutional amendment they would not be admitted into the Union; and did they not thereupon conform their action to the demand made of them? Does the Senator call that voluntary action?

Mr. STEWART. Do not the conditions prescribed by the President stand on a different footing from the right of suffrage? Does not the qualification of voters in a State stand on an entirely different footing from the other propositions as to which the President gave his advice?

Mr. WADE. Not at all, in a constitutional point of view. If you could impose one constitutional amendment upon a State in a matter ordinarily belonging to the State, why not another? They were advised and required by the Executive to pass the constitutional amendment. And, sir, if I was a southern man—for I am very apt to talk frankly—if I were a member of a southern Legislature, and under the duress of a presidential mandate I was forced to comply with any such condition, I would, just as soon as I could, repudiate it on the ground of duress. The mandate of the President to a seceded, fallen State to-day is nothing more than the command of a robber to a traveler on the highway. They have got to do what is asked of them, and they tell you so, and tell you that when they get freedom of action they will not consider the conditions extorted from them as of any binding force upon them.

Mr. STEWART. The question of suffrage was not, while emancipation was, one of the conditions.

Mr. WADE. Do not understand me now as contending that I am opposed to requiring these conditions of the southern people. I think they were right, but I want them adopted voluntarily, and not by coercion or force. That brings me to consider another question which has been greatly overlooked in this argument.

Mr. STEWART. I do not understand the Senator yet as answering my question how the suffrage is to be extended to the blacks. That is a practical question that I desire to have answered.

Mr. WADE. I will tell you before I get through.

Mr. STEWART. I should like to hear it distinctly.

Mr. WADE. I will tell you exactly how it can be done. It can be done by telling these gentlemen in the southern States, these traitors, that we shall be as lenient to our friends, the Union colored people of the South, as to them; that they shall never put their feet upon this floor until they do justice according to the rule of equity—they who seek justice shall first do justice. There is no difficulty in it, and I was merely endeavoring to show that that position no more transcends the Constitution of the United States than that for which the Senator contends. He says that the President has organized civil government in the South. Where did he get his constitutional warrant for that? All the great officers of Government are created by law, and the Senate of the United States must participate in their appointment; but the President has appointed civil governors of the States to do civil business. I do not see where he got his warrant to do that if the States had not seceded.

Mr. STEWART. I suppose it was his duty under the war power to provide for the re-establishment of civil government when the armed forces of the rebellion were overthrown. It was undoubtedly his duty then to invite the people to organize.

Mr. WADE. It was his duty under the war power. Would it not have been just as compatible with his duty if he had demanded that civil government be organized by admitting all the colored people of proper age to participate in making the constitution and laws? Would it have been any greater violation of the Constitution than was done? Would it not have been an exercise of military power if he believed it requisite for the public peace? Where is the distinction? No casuist can draw the line of distinction; it is idle to contend for it. Where did he get the power to prescribe the oath which he required these people to take? Do you find that in the Constitution? Where do you find it? Was it not as great a stretch of constitutional power to do that as to say that the colored men should vote?

Mr. STEWART. I think not. I think it very plain that he had no power to interfere with the qualifications of voters in those States. There is no doubt about his power to make such regulations as should secure peace to the inhabitants, and he had a right to invite the citizens who were then acknowledged to be citizens—the constitutional amendment had not then been adopted—to organize civil society.

Mr. WADE. Who are the citizens?

Mr. STEWART. The loyal citizens. He only extended the invitation to loyal citizens.

Mr. WADE. I have no doubt of his power to do it in time of war, but I doubt very much his power to do it in times of peace. This is a time of peace.

Mr. STEWART. What was he to do? Leave them there to anarchy?

Mr. WADE. No, govern them by military power as he had done from the time the war ceased up to the time he prescribed the oath. Why did he prescribe that?

Mr. STEWART. Had not the people a right, with his permission and consent, to organize civil society as soon as they possibly could?

Mr. WADE. No doubt about that; but I do not want to be turned aside to a controversy on that subject. I am not contending that the President has done anything very wrong in all this. I agree that when we conquer a people who have no laws, who had no civil organization and could have none, it devolved upon the President of the United States to keep the peace in that country, and to prescribe such rules and regulations as in his judgment would conduce to that end until such time as Congress should assemble and prescribe the law to be followed. That is what he had a right to do, and in my judgment that is all the Constitution permitted him to do, and in that he had a very large discretion; but I can see no authority for the President to undertake to prescribe an oath which was to qualify persons to elect a State government which was to be the permanent civil government of a State in this Union, a part and parcel of the Union.

I do not know where you find anything in the Constitution of the United States to require that a State shall pass a constitutional amendment of any kind. I do not know how you get it constitutionally. I do know that he could not do it to a State that had not been in rebellion; no man would attempt it there, and on his theory that the rebellious States had not been out, how could he do it to them? There is evidently, therefore, a broad distinction made by the President between a State outside of the Union and a State inside. Neither the President, nor any Senator upon this floor, nor any statesman in the nation, would have thought of prescribing any of these conditions to a State which had never been out of the Union.

Why, then, did the President impose these conditions on the seceded States? Because they are out of the Union, and therefore he was right in demanding conditions. I say he has done well, so far as he has gone. I want him now, as I said before, to put the keystone in the arch, to invoke the loyal people in the South, those who have stood by us through evil report and through good report, whom you can trust, on whom you can rely to-day, to-morrow, and forever, as an offset to the traitors that you propose to



let in. I want to counterbalance them, for I dare not trust them alone. I say there is no more constitutional difficulty in the way of accomplishing this result than there is in the way of any condition that the President has enjoined on that people. They all stand upon the same principle precisely; and I wonder that any statesman or lawyer can contend that the President might impose the important radical conditions that he has insisted upon, and rightly insisted upon, as conditions precedent to the organization and admission of these States, and stop there. If he can do what he has done, he can do anything else that is necessary to effect the purpose, to bring these States back into the Union.

There is no great difference in principle between what he has done and what I want him to do. He is right as far as he has gone; and now I want him to make what has been done secure by placing this great question where it must be placed before it will rest in peace, and that is, as I said before, on the rock of eternal justice and truth. I hope the nation will be agitated as by an earthquake until she shall be ready to do right. I know she will finally get down to this rock. You may build upon the sand, but the human mind will not rest upon such a foundation. It has never rested upon it. We have progressed from one point to another until I think we are about stepping upon the rock, and then this controversy will cease and we shall be at rest.

Again, sir, I deny that the organization of these State governments in the South has begun at the right end so far. I contended during the last Congress that the President had no right, by military Order No. 37, or any other military order, to organize a State Government anywhere. Our Government must be a Government of the people. In this country you cannot force a Government upon anybody. It might be very convenient if we could. A despotic Government may do it with perfect ease. When Russia conquers Poland she may trample her under foot, because armed with despotic, irresponsible power. When we conquer a people we must deal with them within the pale of the Constitution, in analogy to the great principles of our glorious free Government. If a people conquered by us are so perverse, if they have been educated and stimulated by hate for generations, so that they cannot act with us now, you cannot make republican government out of such material. You are beginning at the wrong end.

Who has asked the President and Congress to establish civil governments in the South? How can Democrats contend that a people shall be bound by an organization emanating from the centre? That is not the place for it to originate. These people must be held under military subjugation (though an equitable one I would contend for) until they themselves shall see that the time has come when they can act in accordance with the old Constitution and Government of the United States. They have not come to that yet, and nobody is surprised that they have not. Do you suppose that in a moment the temper and disposition of men who breathed fire and wrath against you for four long years, and murdered three hundred thousand of your bravest sons, and committed all the atrocities to which I have alluded, have been so changed that they will ask to be taken back into that Government which they had invoked foreign despotisms to overthrow, and to destroy which they had hazarded their lives and fortunes?

I know that the southern people will come back. I know it is as much for their interest, and infinitely more for their interest, than it is for ours. We all have a pride in the whole nation; as the Senator from Wisconsin said, we will never consent to lose a single star from the old flag; but when we repair this breach, I want it to be done by the people of the South becoming convinced that it is for their interest, and telling us "we are sick of war; we are sick of contending against the power of the United States; and we ask and petition Congress now to permit us to organize a State government in accordance with the Constitution of the United States; and we are ready to back up our petition by majorities uncontrolled by the Army, uninfluenced by anything except the will and wish of the people to get back into the old fold from which they had strayed." I know that they will come in due time, but you cannot force it.

What I wish to inculcate and insist upon is the utter absurdity of supposing that a democratic people can force another people to join them and comply with the forms of the Government when their hearts are at variance with it. The old maxim was that one man could lead a horse to water, but ten men could not make him drink. You cannot make a people drink in democracy until they get ready for it. You may give them the forms, but they are still idle ceremonies unless they are imbued with the spirit. Govern them justly by the strong arm of the nation until such time as they themselves shall have had an opportunity to reflect, to cool off, to become willing that a State government should be revived over them, when they see their interest plainly in that direction. When that is done there is no doubt they will come asking to be allowed to have a State government, some sooner, some later.

Time is a great element in all such cases, and he is a most unreasonable man who expects that in the twinkling of an eye you can make a people cordially co-operate in this free Government who the day before were endeavoring to overthrow it; and until the people themselves can agree to it, it is vain and idle, and worse, to contend that you can force them into this Government by this hot-house operation, and induce them to harmonize with you. They will come back in due time no doubt, and no man will rejoice more than I shall when that time shall come, and I can tell you when it will come. Leave them to themselves; do not send your great officers down there to persuade them; do not leave your conqueror with arms in his hands to say to them "Come up and make such and such a constitution, and come into the Union with it." That is not

the way; but govern them equitably until it is shown by their petitions, by their speeches, by their actions, which nobody can mistake, that the great heart of that people has relented and repented of the crimes they have committed, and that they are willing and anxious to come back to the Union as the ark of their safety, and there lodge and travel and act with us.

Sir, I shall look as anxiously as any other man to see that there is this repentance, this temper and disposition that will enable us when they ask it to say to them, "You shall have the right hand of fellowship, you shall stand on as high ground as you ever stood on before;" but I can never consent that a government shall be organized from this central point to bring States into the Union. You can bring them in by the Army of the United States; you can force them to go through the form of making a State government and send their Delegates here; but would that be a republican government? Would it be a democracy? Would it be a government having its authority in the consent of the people, such as our great Declaration of Independence calls for?

Mr. President, the great panacea for all our difficulties is to throw our prejudices to the winds and come up and do justice. Look at your old Declaration of Independence; a document which has not its equal; a document which in sublimity, in usefulness, and in enlightenment to the human mind, excels any that has ever been promulgated among men. I am amazed that nearly a century has gone by since that great Declaration was given to mankind, and yet the mass of our Senators have not reached the sublime position in which our forefathers in that darker period stood. They knew full well that the Government they were founding could rest upon nothing else than the great basis of eternal equal right and justice. I revere that Declaration because it came from their hands, but I revere it more because I know it came from the hand of the Almighty. It is the will of God that no nation can prosper or rest in peace until it builds upon this foundation. I am for giving all the rights guaranteed in that Declaration to all men, and especially to those who aided me in trouble, who aided me in securing to myself and posterity those great rights that we had all inherited, when they were placed in jeopardy by the accursed traitors whom you look upon with such lenity.

I do not wish to say much in answer to what has been said about the pardoning of rebels. The system of pardoning does not meet my approbation to the extent that it has gone. I never would pardon the wretch who, after having taken an oath to support the Government of the United States, which educated him and gave him a high and honorable position among his fellows in order that he might stand by the Government in time of trouble, sneaked away and perjured his soul to God and resigned himself to treason. If I spared his life, it would be all he could have at my hands. Invite such a wretch as that into your Government anywhere! Sir, this mawkish tenderness to traitors is treason to the State. To the mass of the people of the South I would, of course, grant an amnesty; but the great leaders of this rebellion, who led them on to destruction, cannot have my pardon here, and I do not know that they will hereafter. If there is an unpardonable sin, the wretches who stood as the guardians of this great and glorious and equitable nation, and for selfish purposes turned around and sought its destruction, have committed it, and they should never be pardoned.

But, Mr. President, I stand by my friends; I stand by my pledges. The colored population of this country, four millions in number, are not to be ignored by the speeches of gentlemen nor the votes of this Senate. If you could do so, you would create an other oligarchy; for when you cut off from the right to participate in a free Government four millions of its people—more than one-third of the entire population of the seceded States—when you cut them off from this great democratic right, you fix a stigma upon them that cannot be wiped out; it will have a bearing infinitely beyond the influence in the Government that their votes will confer; you will have trampled them under foot forever with the mark of Cain upon them; and that will be your return for their brave and able defense of your institutions in time of peril. Sir, I will stand by them forever. As I have already said, my manhood, my honor, my sense of justice, and my policy as a member of a free Government all conduce to the same end, to make me stand firmly and forever by the rights of these four million people. So far as my voice can go, they shall stand upon the same basis that I myself stand on. I despise, with a contempt that I cannot name, the man who will contend for rights for himself that he will not award to everybody else. Why I claim for myself or my children, politically, I will award to every member of this Government, and with more scrupulous guardianship to him who is weak and influential than to him who is powerful and able to defend himself.

Sir, these are the sentiments that will govern me. I do not wish to continue these desultory remarks. I thought that the elaborate speeches manufactured upon this subject, and the long orations pronounced over it, without suggesting the clearing of the path from any of the difficulties that must occur to everybody, were calculated rather to mislead than anything else; and hence I wished to point out the difficulties that I have encountered all the while since the discussion has been up. I say once more, that whenever the southern States can give me evidence that it is safe to withdraw our troops from that quarter, that they will conform to the principles of the Government, that it will be safe to admit them into our councils, I shall be first and foremost to go with him who is for letting them in. But sir, I, for one, will never consent to let unwashed traitors, dyed in the blood of our dearest friends, participate in the councils of the Government that they have endeavored to overthrow.

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